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HOUSE BILL 321

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Peter Wirth

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AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING VEHICLES TO YIELD THE RIGHT OF WAY WHEN PEDESTRIANS ARE IN CROSSWALKS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 66-7-334 NMSA 1978 (being Laws 1978, Section 1. Chapter 35, Section 438) is amended to read:

PEDESTRIANS' RIGHT OF WAY IN CROSSWALKS. --"66-7-334.

When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is [upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger] in the crosswalk.

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B. No pedestrian shall suddenly leave a curb or
other place of safety and walk or run into the path of a
vehicle [which] <u>that</u> is so close that it is impossible for the
driver to yield.

- C. Subsection A <u>of this section</u> shall not apply under the conditions stated in <u>Subsection B of Section</u> $[64-7-335B \text{ NMSA } 1953] \underline{66-7-335} \text{ NMSA } 1978.$
- D. Whenever [any] a vehicle is stopped at a marked crosswalk or at [any] an unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of [any other] another vehicle approaching from the rear shall not overtake and pass [such] the stopped vehicle."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007.

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